

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB2275

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Kilgore

3. Committee: Committee on Commerce and Energy

4. Title: Energy planning and electric utility oversight.

5. Summary: Requires the Commission on Electric Utility Regulation (the Commission) to establish the Commonwealth Energy Research Consortium (the Consortium), consisting of public institutions of higher education in the Commonwealth, to conduct energy research and policy analysis for the Commonwealth. The bill requires the Commission to distribute funds from the Commonwealth Energy Research Fund, created by the bill, to the Consortium to (i) conduct energy and environmental research that furthers the Commonwealth Clean Energy Policy; (ii) provide objective analysis and planning to guide decisions in the public and private sectors, including analysis of potential legislation; (iii) identify programs that would reduce energy costs to consumers; and (iv) create a statewide energy efficiency strategy.

The bill increases from 10 to 13 the membership of the Commission by adding three nonlegislative citizen members; requires the Commission to meet twice annually and to receive an annual report from the State Corporation Commission by November 1 regarding the implementation of the Virginia Electric Utility Regulation Act; requires newly appointed members of the Commission to receive an orientation on electric utility regulation from the State Corporation Commission; authorizes the Commission to employ an executive director and such other persons as it deems necessary and to employ experts who have knowledge of the issues before it; and extends the expiration of the Commission from July 1, 2024, to July 1, 2029.

The bill requires the Commission to (a) monitor applications by the Commonwealth for grants and awards for energy projects from the federal government; (b) establish the Commonwealth Energy Research Consortium and distribute funds from the Commonwealth Energy Research; (c) consider legislation referred to it during any session of the General Assembly or other requests by members of the General Assembly; and (d) conduct studies and gather information and data in order to accomplish its purposes.

The bill requires the Division of Renewable Energy and Energy Efficiency of the Department of Energy to present a draft of the Virginia Energy Plan or any updates to the Plan to the Virginia Coal and Energy Commission and the Commission on Electric Utility Regulation at

a public meeting and to present the final Plan to the Commission on Electric Utility Regulation at a public meeting.

The bill requires investor-owned electric utilities, as part of preparing any integrated resource plan, to make a draft of their updated integrated resource plan available to the public and to conduct outreach to engage the public and provide opportunities for the public to contribute information and ideas or make inquiries regarding the integrated resource plan. Additionally, the bill requires such electric utilities to conduct an ongoing stakeholder review process for the purpose of considering, and inviting stakeholder input and review on, changes to the utility's integrated resource plan development methodology and modeling inputs and assumptions.

- 6. Budget Amendment Necessary:** See Item 8.
- 7. Fiscal Impact Estimates:** Preliminary, see Item 8.
- 8. Fiscal Implications:** The fiscal impact of this bill is indeterminate. In Chapter 2, 2022 Acts of Assembly, Special Session I commissions that did not have staff were moved from Item 6 to Item 1. This bill grants the Commission the authority to employ an executive director and other necessary staff. It is unknown how many staff the Commission may hire and the anticipated salaries. If the Commission hires staff and no appropriation is provided for the Commission, the Commission may be funded from the operating budgets of the Clerk of the Senate and the Clerk of the House of Delegates upon the approval of the Joint Rules Committee.

This bill adds three nonlegislative members. The travel expenses for the nonlegislative member appointed by the Senate Committee on Rules are estimated to be \$400. The travel expenses for the nonlegislative member appointed by the Speaker of the House of Delegates are also estimated to be \$400. These calculations assume four meetings per year, which is the average for a commission of this nature. There also may be costs associated with the nonlegislative member appointed by the Governor, but it is unknown at this time what those costs will be.

This legislation creates a special nonreverting fund for the use of the Commission, but it is unknown what the revenue impact will be.

The State Corporation Commission does not expect a fiscal impact from this bill.

There is a potential fiscal impact for the Department of Energy, but no information is available from them at this time.

- 9. Specific Agency or Political Subdivisions Affected:** The House of Delegates, the Senate of Virginia, the Department of Energy, the State Corporation Commission
- 10. Technical Amendment Necessary:** No

11. Other Comments: Similar to SB1166